



PATENT

Attorney Docket No.: MSU-08604

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Dean DellaPenna, *et al.*
Serial No.: 10/751,235
Filed: 01/02/2004
Entitled: Novel Carotenoid Hydroxylases For Use In Engineering
Carotenoid Metabolism In Plants
Group No.: 3643
Examiner:

RESPONSE TO NOTICE TO FILE MISSING PARTS

MAIL STOP MISSING PARTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: **Mail Stop Missing Parts**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: November 10, 2004

By:


Susan M. McClintock

Sir or Madam:

In response to the Notice To File Missing Parts Of Nonprovisional Application -- Filing Date
Granted (Form PTO-1533) mailed **August 10, 2004** (a copy of which is enclosed), applicants submit the following documents:


- ▶ Executed Declaration or Oath;
- ▶ An Assignment document for recording, whereby the subject application and the invention disclosed therein is assigned to: The Board of Trustees Operating Michigan State University, 238 Administration Building, East Lansing, Michigan 48824-1046; and a Recordation Form Cover Sheet -Patents Only (Form PTO-1595);
- ▶ Power of Attorney by Assignee;
- ▶ Request for extension of time for filing within the first month;
- ▶ Preliminary Amendment and Response;
- ▶ Certificate re: Sequence Listing; and
- ▶ Sequence Listing in paper copy and on a computer-readable diskette.

A check in the amount of **\$160.00** is enclosed herewith to cover:

\$65.00 surcharge for filing missing parts of an application
\$55.00 fee for filing a one-month extension of time
\$40.00 Assignment recordation fee

The Commissioner is hereby authorized to charge any deficiency in the payment of the required fees, and/or credit any overpayment, to Deposit Account No. **08-1290**. **An originally executed duplicate of this transmittal is enclosed for this purpose.**

Dated: November 10, 2004


J. Mitchell Jones
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608/218-6900



11-12-04

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/751,235	01/02/2004	Dean DellaPenna	MSU-08604

CONFIRMATION NO. 3881

FORMALITIES LETTER



OC000000013490455

MEDLEN & CARROLL, LLP
 Suite 350
 101 Howard Street
 San Francisco, CA 94105

Date Mailed: 08/10/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600

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- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
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P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Y.G.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE